CHARGE SHEET

PLACE: USNAS Atsugi, Japan		DATE: 17 April 1958
ACCUSED (Last name, First name, Middle initial). (Capitalize when material.) OSWALD Lee H.	SERVICE NUMBER: 1653230	GRADE: Pfc
ORGANIZATION AND ARMED FORCE (If the accused is not a member of any armed force, state other appropriate description showing that he is subject to military law.) MACS-1 MAG-11 1stMAW FMF, c/o FPO, San Francisco, California	DATE OF BIRTH: 18 October 1939	PAY PER MONTH: BASIC $ 85.80
	CONTRIBUTION TO FAMILY OR QUARTERS ALLOWANCE (MCM, 126h (2)): None	SEA OR FOREIGN DUTY $ 8.00
		TOTAL $ 93.80

RECORD OF SERVICE

INITIAL DATE OF CURRENT SERVICE	TERM OF CURRENT SERVICE
24 October 1956	Three (3) Years

PRIOR SERVICE (As to each prior period of service, give inclusive dates of service and organization in which servin, at termination, if available.)

None

DATA AS TO WITNESSES

NAME OF WITNESS	ADDRESS	WITNESSES FOR PROSECUTION	WITNESSES FOR ACCUSED
~~KURDYLA, Francis J., Sgt.~~	~~MACS-1 MAG-11 1stMAW FMF, c/o FPO, San Francisco, California~~	~~X~~	~~X~~
GAJEWSKI, Francis J., Capt	MACS-1 MAG-11 1stMAW FMF, c/o FPO, San Francisco, California	X	

DOCUMENTS AND OBJECTS

LIST AND DESCRIBE. IF NOT ATTACHED TO CHARGES, NOTE WHERE IT MAY BE FOUND.

None

DATA AS TO RESTRAINT

NATURE OF ANY RESTRAINT OF ACCUSED	DATE	LOCATION
None		

DD FORM 1 DEC 55 458

1

REPLACES DD FORM 458, 1 MAR 51, WHICH IS OBSOLETE.

Rec'd in ONI 1963

Charge : Violation of the Uniform Code of Military Justice, Article 92

Specification : In that Private First Class Lee H. OSWALD, U. S. Marine Corps, Marine Air Control Squadron 1, Marine Aircraft Group 11, First Marine Air Wing, Fleet Marine Force, Pacific, did, at Barracks #5, Naval Air Station, Atsugi, Japan on or about 2030 hours on 27 October 1957, violate a lawful general order, to wit, paragraph 10a, 10b, 10e COMNAVFORJAPAN INST 5050.1C dtd 18 October 1957, by having in his possession a privately-owned weapon that was not registered.

If this space is insufficient for all charges and specifications, they will be set forth numerically, front to back, on separate sheets attached to this page.

SIGNATURE OF ACCUSER	TYPED NAME AND GRADE	ORGANIZATION
GERALD L. KENNEDY	SSgt., USMC	MACS-1 MAG-11 1stMAW FMF, c/o FPO, San Francisco, Calif

AFFIDAVIT

Before me, the undersigned, authorized by law to administer oaths in cases of this character, personally appeared the above-named accuser this 11th day of April, 19 58, and signed the foregoing charges and specifications under oath that he is a person subject to the Uniform Code of Military Justice, and that he either has personal knowledge of or has investigated the matters set forth therein, and that the same are true in fact, to the best of his knowledge and belief.

R. E. LEWIS JR.
SIGNATURE

GRADE AND ORGANIZATION OF OFFICER

Adjutant
OFFICIAL CHARACTER, AS ADJUTANT, SUMMARY COURT, ETC. (MCM, 29c, and Article 30a and 136)

Officer administering oath must be a commissioned officer.

11 April 1958
DATE

I have this date informed the accused of the charges against him (*MCM, 32f(1)*).

R. E. LEWIS JR.
SIGNATURE

2ndLt. USMCR Adjutant MACS-1
GRADE AND ORGANIZATION OF IMMEDIATE COMMANDER

MACS-1 MAG-11 1stMAW FMF, c/o FPO, San Francisco, California
DESIGNATION OF COMMAND OF OFFICER EXERCISING SUMMARY COURT-MARTIAL JURISDICTION

USNAS Atsugi, Japan
PLACE

11 April 1958
DATE

The sworn charges above were received at 1100 hours, this date (*MCM, 33b*).

FOR THE[1]

N. D. GLENN, LtCol., USMC, Commanding Officer
SIGNATURE, GRADE, AND OFFICIAL CAPACITY OF OFFICER SIGNING

1ST INDORSEMENT

MACS-1 MAG-11 1stMAW FMF, c/o FPO, San Francisco, California
DESIGNATION OF COMMAND OF CONVENING AUTHORITY

USNAS Atsugi, Japan
PLACE

11 April 1958
DATE

Referred for trial to the SUMMARY court-martial appointed by _____

My appointing order dated

_____, 11 April 19 58, subject to the following instructions: [2] None

BY [1] _____ of _____
COMMAND OR ORDER

N. D. Glenn
N. D. GLENN, LtCol., USMC, Commanding Officer
SIGNATURE, GRADE, AND OFFICIAL CAPACITY OF OFFICER SIGNING

I have served a copy hereof on each of the above-named accused, this 29th day of APRIL, 19 58.

Brooks [illegible]
SIGNATURE

CAPTAIN U.S. MARINE CORPS
GRADE AND ORGANIZATION OF TRIAL COUNSEL

[1] When an appropriate commander signs personally, inapplicable words are stricken out. [2] Relative to proper instructions which may be included in the indorsement of reference for trial, see MCM, 33j(1). If none, so state.

Fill in blank numbers of pertinent charges and specifications or "all specifications and charges", as may be appropriate. For use unless departmental regulations prevent such electing (MCM, 5-f(2)).

THE ACCUSED HAS BEEN PERMITTED AND HAS ELECTED TO REFUSE PUNISHMENT UNDER ARTICLE 15 AS TO

GRADE AND ORGANIZATION OF OFFICER EXERCISING JURISDICTION UNDER ARTICLE 15	SIGNATURE

RECORD OF TRIAL BY SUMMARY COURT-MARTIAL	CASE NUMBER 2-58 (Inserted by convening authority)

TO BE FILLED IN BY THE ACCUSED

I ☑ CONSENT ☐ OBJECT TO TRIAL BY SUMMARY COURT-MARTIAL.	SIGNATURE OF ACCUSED Lee H Everett

TO BE FILLED IN BY SUMMARY COURT IF APPLICABLE

When an accused has been permitted and has elected to refuse punishment under Article 15, trial by summary court-martial may proceed despite his objection.

1. THE ACCUSED, HAVING REFUSED TO CONSENT IN WRITING TO TRIAL BY SUMMARY COURT-MARTIAL AND NOT HAVING BEEN PERMITTED TO REFUSE PUNISHMENT UNDER ARTICLE 15, THE CHARGES ARE HEREWITH RETURNED TO THE CONVENING AUTHORITY.

GRADE AND ORGANIZATION OF SUMMARY COURT OFFICER	SIGNATURE

2. WAS THE ACCUSED ADVISED IN ACCORDANCE WITH PARAGRAPH 79d, MCM, 1951? ☒ YES

SPECIFICATIONS AND CHARGES	PLEAS	FINDINGS	SENTENCE OR REMARKS
Sp: Ch: Ch:	G G	G G	To be confined at hard labor for 20 days, to forfiet $25.00 per month for two months and to be reduced to the grade of private
			NUMBER OF PREVIOUS CONVICTIONS CONSIDERED (MCM, 75b(2)) None

PLACE	DATE
U. S. Naval Air Station, Atsugi, Japan	29 April 1958

GRADE, ORGANIZATION AND ARMED FORCE OF SUMMARY COURT OFFICER (MCM 4a)	SIGNATURE
Captain, MACS-1, MAG-11, 1stMAW, USMC	Brooks Johnson Jr. BROOKS JOHNSON JR.

Enter after signature, "Only officer present with command", if such is the case.

TO BE FILLED IN BY CONVENING AUTHORITY (MCM, 89, and app. 14a.)

ORGANIZATION	PLACE	DATE
MACS-1 MAG-11 1stMAW c/o FPO SFRAN, CALIF.	NAS Atsugi, Japan	29 April 1958

ACTION OF CONVENING AUTHORITY

Approved and ordered executed, but the confinement at hard labor for twenty days is suspended for six months, at which time, unless the suspension is sooner vacated, the sentence to confinement at hard labor for twenty days will be remitted without further action.

The forfeitures shall apply to pay and allowances becoming due on and after date of this action.

GRADE AND ORGANIZATION OF CONVENING AUTHORITY	SIGNATURE
M. D. GLENN, LtCol USMC, MACS-1 MAG-11 1stMAW FMF, c/o FPO San Francisco, Calif.	M. D. Glenn

ENTERED ON APPROPRIATE PERSONNEL RECORDS IN CASE OF CONVICTION. (MCM, 91c)

GRADE AND DESIGNATION OF OFFICER RESPONSIBLE FOR THE ACCUSED'S RECORDS	SIGNATURE
R. E. LEWIS JR. 2ndLt., Adjutant	

NOTE: Summary of evidence, if required by the convening or higher authority, will be attached on separate pages.

U. S. GOVERNMENT PRINTING OFFICE: 1956 O— 3699